

DOCKET NO. PRES06-00208
Customer No. 23990



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Gene W. Zdenek, et al.
U.S. Serial No. : 09/863,006
Filed : May 22, 2001
For : SCLERAL EXPANSION DEVICE HAVING DUCK BILL
Group No. : 3738
Examiner : (Not Yet Assigned)

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Commissioner for Patents
Washington, D.C. 20231

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Sir:

The undersigned hereby certifies that the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 (2 pages);
3. Twenty-one (21) references as cited in Information Disclosure Statement;
4. A postcard receipt;

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Commissioner for Patents, Washington, D.C. 20231, on 1/31/02.

Date: 1/31/02

Kathy Longenecker
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Date: Jan. 30, 2002

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Commissioner for Patents
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Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. The patents, publications and other information herein are listed below and on the attached Form PTO-1449. Copies of the listed references are submitted herewith.

| <u>U.S. Patent No.</u> | <u>Inventor</u> | <u>Date</u> |
|------------------------|-----------------|----------------|
| RE 35,390 | Smith | Dec. 3, 1996 |
| 2,952,023 | Rosen | Sept. 13, 1960 |
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| <u>U.S. Patent No.</u> | <u>Inventor</u> | <u>Date</u> |
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| 4,946,436 | Smith | Aug. 7, 1990 |
| 4,976,719 | Siepser | Dec. 11, 1990 |
| 5,354,331 | Schachar | Oct. 11, 1994 |
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| 5,520,631 | Nordquist, et al. | May 28, 1996 |
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| 5,879,319 | Pynson, et al. | March 9, 1999 |
| 6,007,578 | Schachar | Dec. 28, 1999 |
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| WO 01/17460 | PCT | 15.03.2001 |
| WO 00/40174 | PCT | 13.07.2000 |
| WO 00/59406 | PCT | 12.10.2000 |
| WO 98/42409 | PCT | 01.10.1998 |
| WO 96/40005 | PCT | 19.12.1996 |
| 2 791 552 | France | 06.10.2000 |

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

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Respectfully submitted,

NOVAKOV DAVIS & MUNCK, P.C.

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